

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA

Plaintiff,

Case No. 13-50226

Hon. Marianne O. Battani

v.

MONA JENDO,

Defendant.

_____/

**ORDER ADOPTING REPORT AND RECOMMENDATION AND DENYING
DEFENDANT'S OBJECTION TO WRIT OF CONTINUING GARNISHMENT**

Plaintiff applied for a writ of continuing garnishment to obtain funds belonging to Defendant Mona Jendo. After Jendo was convicted of Conspiracy to Commit Wire Fraud, she was ordered to make restitution in the amount of \$1,899,965. Jendo objected on the ground that one of the accounts was exempt. The Court referred this matter to Magistrate Judge Mona Majzoub, who issued a Report and Recommendation ("R&R") on July 22, 2013, recommending that the Court deny the objection. In her R&R, Magistrate Judge Majzoub informed the parties that objections to the R&R must be filed within "14 days of service" and that a "[f]ailure to file specific objections constitutes a waiver of any further right of appeal." (R&R at 4-5). Neither party filed an objection. Consequently, the parties waive their right to *de novo* review and appeal.

Accordingly, the Court **ADOPTS** the Magistrate Judge's Report and Recommendation and **DENIES** Defendant's objection.

IT IS FURTHER ORDERED:

1. Garnishee must liquidate all of the assets in account number XXX-XX872 and remit all of the funds and proceeds from account number XXX-XX872 to the United States;
2. Garnishee must liquidate all of the assets in account number XXX-XX105 and remit all of the funds and proceeds from account number XXX-XX105 to the United States;
3. Upon receipt of the proceeds from Merrill Lynch, the United States must acknowledge that the writ of garnishment issued on February 11, 2013, directed to Merrill Lynch is hereby dissolved, and all freezes imposed on Defendant's accounts be released. Merrill Lynch must be released from any further obligation or liability under the February 11, 2013, writ of garnishment.
4. Funds remitted by the Garnishee should be sent to the Clerk of the Court, Theodore Levin U.S. Courthouse, 231 W. Lafayette, 5th Floor, Detroit, MI 48226; and
5. The Clerk of Court should disburse said funds in accordance with the provisions in case number 09-CR-20313-02.

IT IS SO ORDERED.

s/Marianne O. Battani
MARIANNE O. BATTANI
UNITED STATES DISTRICT JUDGE

DATE: August 9, 2013

CERTIFICATE OF SERVICE

Copies of this Order were mailed and/or e-filed to Defendant and counsel of record on this date.

s/Bernadette M. Thebolt
Case Manager